

Based On AO 199A-C, Order Setting Conditions of Release

FILED

DEC 26 2024

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY EG
DEPUTY CLERKIN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
DIVISION

UNITED STATES OF AMERICA

v.

RR GOYAKLA APACHE

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§

No. EP-24-CR-02534-KC

APPEARANCE BOND

Defendant's Agreement

I, RR GOYAKLA APACHE (*defendant*), agree to follow every order of this court, or any court that considers this case, and I further agree that this bond may be forfeited if I fail:

- ☒ to appear for court proceedings;
- ☒ if convicted, to surrender to serve a sentence that the court may impose; or
- ☒ to comply with all conditions set forth in the Order Setting Conditions of Release.

Type of Bond

- ☐ (1) This is a personal recognizance bond.
- ☒ (2) This is an unsecured bond of \$10,000.00.
- ☐ (3) This is a secured bond of \$_____, secured by:
 - ☐ (a) \$_____ in cash deposited with the court; OR
 - ☐ (b) the agreement of the defendant and each surety to forfeit the following cash or other property (*describe the cash or other property, including claims on it – such as a lien, mortgage, or loan – and attach proof of ownership and value*):

If this bond is secured by real property, documents to protect the secured interest may be filed of record.

- ☐ (c) a bail bond with a solvent surety
(*attach a copy of the bail bond, or describe it and identify the surety*):

Forfeiture or Release of the Bond

Forfeiture of the Bond. This appearance bond may be forfeited if the defendant does not comply with the above agreement. The court may immediately order the amount of the bond surrendered to the United States, including the security for the bond, if the defendant does not comply with the agreement. At the request of the United States, the court may order a judgment of forfeiture against the defendant and each surety for the entire amount of the bond, including interest and costs.

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Release of the Bond. The court may order this appearance bond ended at any time. This bond will be satisfied and the security will be released when either: (1) the defendant is found not guilty on all charges, or (2) the defendant reports to serve a sentence.

Declarations

Ownership of the Property. I, the defendant – and each surety – declare under penalty of perjury that:

- (1) all owners of the property securing this appearance bond are included on the bond;
- (2) the property is not subject to claims, except as described above; and
- (3) I will not sell the property, allow further claims to be made against it, or do anything to reduce its value while this appearance bond is in effect.

Acceptance. I, the defendant – and each surety – have read this appearance bond and have either read all the conditions of release set by the court or had them explained to me. I agree to this Appearance Bond.

I, the defendant – and each surety – declare under penalty of perjury that this information is true. (See 28 U.S.C. § 1746.)

12/26/2024

Date



RR GOYAKLA APACHE

Defendant's signature

Defendant's address

Defendant's phone number

Surety/property owner – address

Surety/property owner – phone number

Surety/property owner – printed name

Surety/property owner – signature and date

12/26/2024

Date

Signature of Clerk, Deputy Clerk, or Pretrial Officer

Approved.

12/26/2024

Date



ROBERT F. CASTANEDA
UNITED STATES MAGISTRATE JUDGE

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
DIVISION**

USA

v.

RR GOYAKLA APACHE

§
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No. EP-24-CR-02534-KC

ORDER SETTING CONDITIONS OF RELEASE

On December 26, 2024, the defendant appeared before the undersigned:

- ☒ For an initial appearance and the conditions of the defendant's release were set.
- ☐ For a detention hearing and, pursuant to agreement of the parties, the conditions of the defendant's release were set.
- ☐ For a detention hearing and the Court found that there are conditions or a combination of conditions that will reasonably assure the defendant's presence as required and/or the safety of the community

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate federal, state, or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if it is authorized by 42 U.S.C. § 14135a.
- (3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number. The defendant is ordered to reside at:

- (4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must appear at:

- (5) The defendant must sign an Appearance Bond, if ordered.

ADDITIONAL CONDITIONS OF RELEASE

Pursuant to 18 U.S.C. § 3142(c)(1)(B), the court may impose the following least restrictive condition(s) only as necessary to reasonably assure the appearance of the person as required and the safety of any other person and the community.

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

☐ **(6) The defendant is placed in the custody of:**

Person or organization:

Address (only if above is an organization):

City and state:

Tel. No.:

who agrees to (a) supervise the defendant, (b) use every effort to assure the defendant's appearance at all court proceedings, and (c) notify the court immediately if the defendant violates a condition of release or is no longer in the custodian's custody.

Signed: _____

Custodian

_____ Date

(7) The defendant must:

- ☒ (a) submit to supervision by and report for supervision to Pretrial Services.
- ☒ (b) continue or actively seek employment, if able to.
- ☐ (c) continue or start an education program.
- ☒ (d) surrender any passport to Pretrial Services
- ☒ (e) not obtain a passport or other international travel document.
- ☒ (f) abide by the following restrictions on personal association, residence, or travel:
 - The defendant shall not travel to Mexico or any other foreign country without permission from the Court.
 - The defendant shall not depart El Paso County without prior permission from Pretrial Services.
- ☒ (g) avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution, or with any co-defendant.
- ☒ (h) get medical or psychiatric treatment as directed by Pretrial Services.
- ☐ (i) return to custody each _____ at _____ o'clock after being released at _____ o'clock for employment, schooling, or the following purposes: _____
- ☐ (j) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary.
- ☒ (k) not possess, or otherwise have custody of a firearm, destructive device, or other dangerous weapon.
- ☒ (l) not use alcohol ☒ at all.
- ☒ (m) not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.
- ☒ (n) submit to testing for a prohibited substance as directed by the pretrial services office or supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing. **DEFENDANT MUST BE TESTED WITHIN 10 DAYS OF RELEASE.**
- ☐ (o) participate in a program of inpatient or outpatient substance abuse therapy and counseling as directed by the pretrial services office or supervising officer. **THE DEFENDANT SHALL PAY FOR TREATMENT SERVICES AS DIRECTED BY PRETRIAL SERVICES.**
- ☒ (p) participate in one of the following location restriction programs and comply with its requirements as directed.
 - ☐ (i) **Curfew.** You are restricted to your residence every day ☐ from _____ to _____, or ☐ as directed by the pretrial services office or supervising officer; or
 - ☒ (ii) **Home Detention.** You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits;

- court appearances; court-ordered obligations; or other activities approved in advance by the pretrial services office or supervising officer; or
- ☐ (iii) **Home Incarceration.** You are restricted to 24-hour-a-day lock-down at your residence except for medical necessities and court appearances or other activities specifically approved by the court.
- ☐ (iv) **Stand Alone Monitoring.** You have no residential curfew, home detention, or home incarceration restrictions. However, you must comply with the location or travel restrictions as imposed by the court.
- Note:** Stand Alone Monitoring should be used in conjunction with global positioning system (GPS) technology.
- ☒ (q) submit to the following location monitoring technology and comply with its requirements as directed:
- ☐ (i) Location monitoring technology as directed by the pretrial services or supervising officer; or
- ☐ (ii) Voice Recognition; or
- ☐ (iii) Radio Frequency; or
- ☒ (iv) GPS.
- ☒ (r) pay all or part of the cost of location monitoring based upon your ability to pay as determined by the pretrial services or supervising officer.
- ☐ (s) shall obtain and maintain a landline during the pendency of this case.
- ☒ (t) report as soon as possible, to the pretrial services office or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.
- ☐ (u) _____
- (8) Adam Walsh Conditions. The defendant must:**
- ☒ (a) Participate in the Computer Restriction and Monitoring Program and abide by all the rules and requirements of the program which will include manual inspection and/or the installation of computer monitoring software as deemed appropriate by Pretrial Services. The program will require the inspection of any computer; internet connected devices, wireless devices, modems, routers, or streaming media sticks, etc., located at your residence or place of employment. The program requires disclosure of the Internet Service Provider (ISP) information and username and passwords for computers, email accounts, and social network accounts. Pretrial Services will employ the use of electronic detection devices to evaluate access to Wi-Fi connections and assess compliance with conditions of release. Any attached or unattached buildings or structures or vehicles located at the residence are subject to inspection to assess compliance with this condition of release.
- ☐ (i). No Computers: The defendant is prohibited from possession and/or use of computers or connected devices.
- ☐ (ii). Computer-No Internet Access: The defendant is permitted use of one (1) computer or connected device or as ordered by the Court but IS NOT permitted access to the Internet. (World Wide Web, FTP Sites, IRC Servers, Instant Messaging, etc). Installation of Computer Monitoring Software is required.
- ☒ (iii). Computer with Internet Access: The defendant is permitted use of one (1) computer or connected device or as ordered by the Court and IS permitted access to the Internet for LEGITIMATE AND NECESSARY purposes as pre-approved by Pretrial Services at ☐ Home ☐ Employment ☐ School/Education. Installation of Computer Monitoring Software is required.
- ☒ (iv). Consent of Other Residents: By consent of other residents in the home, any computers, and internet connected devices in the home utilized by other residents shall be approved by Pretrial Services and subject to inspection for compliance with conditions of release and verification that these devices are password and/or biometrically protected.
- ☒ (b) Participate in Specialized Treatment Services designed for pretrial defendants charged with or convicted of a sexual offense as directed by the Pretrial Services Officer.
- ☒ (c) Must not obtain, view, or possess any sexually explicit, sexually graphic, or erotic materials including images, movies, and printed material, in any form.
- ☒ (d) Must have no contact with minor children under the age of eighteen and will not reside in a household where the victim(s) or minor children live unless approved by the Court.
- ☐ (e) Unless prohibited by another Judicial Officer, the defendant may have supervised contact with his/her minor children under the presence of a parent, guardian, or third party custodian who is aware of and understands the nature of the offense(s) charged.

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- ☒ (f) Must not visit any areas within 100 yards of any school, day care center, park, or other place where children congregate.
- ☒ (g) Must not obtain employment or participate in any volunteer activity during which there is unsupervised contact with minors under the age of eighteen.
- ☐ (h) Must comply with the Sex Offender Registration and Notification Act (SORNA), state and local sex offender registration requirements.
- ☒ (i) Must not open any new lines of credit or bank accounts without prior approval of Pretrial Services. The defendant must provide financial statements as requested by Pretrial Services.

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ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (i.e., in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

1. an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
2. an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
3. any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
4. a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.



RR GOYAKLA APACHE
Defendant's Signature

Directions to the United States Marshal

The defendant is **ORDERED** released after processing.

SIGNED AND ENTERED on 12/26/2024.



ROBERT F. CASTANEDA
UNITED STATES MAGISTRATE JUDGE